

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Scott Weller

Serial Number: 09/780,893

Filed: February 9, 2001

For: Method And System For Assigning And Distributing Work Over A
Computer Network

Art Unit: 3623

Examiner: S. Jarrett

Remarks

Claims 7-17 and 19 remain in the application. A new claim 20 has been added. Claims 1-19 stand rejected. Claims 1 -6 and 18 have been cancelled. Claims 7-17 and 19 have been amended. Bases for these amendments are as follows. The amendments effect changes in the claim numbering to correct an error in the original numbering. Claims 7 and 13 have been amended to show that the system is used by workers to choose assignments. This is clearly delineated in the specification. Moreover, claim 13 has been amended to include the limitations of claim 18 as well as to correct the §112 objections. No new matter has been added.

The Rejections

The examiner has rejected claims 2, 8, 13, and 14 under 35 U.S.C. 112, second paragraph, as being indefinite and failing to point out and distinctly claim the subject matter which the applicant regards as the invention.

The examiner has rejected claims 1-19 under 35 U.S.C. 103(a) as being unpatentable over Stipanovich et al., U.S. Patent No. 5,117,353, in view of Bukow, U.S. Patent No. 6,567,784.

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Response

The applicant believes that all of the rejections and objections have been resolved.

Regarding the section 112 rejections, applicant has either canceled or amended the claims and the specification to correct the deficiencies. Specifically, applicant has amended the specification to include the terms "work script" and "work value" to indicate the meaning of these terms by indicating existing language in the specification that define what these terms mean. Claim 13 has also been amended to correct the term "data base". Finally, the claims have been amended to renumber them in a proper sequence. Accordingly, applicant believes that all of the section 112 rejections have been traversed.

Regarding the 35 U.S.C. 103(a) rejections as being unpatentable over Stipanovich et al., U.S. Patent No. 5,117,353, in view of Bukow, U.S. Patent No. 6,567,784, applicant argues that the rejections of claims 1-7 are now moot.

The rejections of the remaining claims are traversed because of the amendments to the claims.

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Argument

Both Stipanovich et al., and Bukow teach sophisticated automated employment agency programs that work like a traditional employment agency, viz., where applicants are collected and screened on the one hand, while jobs are solicited on the other. Then the administration of the agency (or computers in the case of the references cited) proceeds to match one or more applicants to a particular job. It is this detailed matching that is the heart of these patented systems.

The instant invention, on the other hand, empowers the workers (applicants or contractors) to choose various assignments. These workers are initially screened by qualification, licenses, etc. The initial screening is intended to broadly define their qualifications. Once the screening is done, these workers have access to all of the projects that match their qualifications. This allows workers or contractors to select the project that interest them in real time, rather than having a particular project chosen for them.

As discussed in the specification, this system is not limited to workers looking for jobs. It can be used by business or government that have specific jobs or projects and need speed in reviewing and accepting them. Under this scenario, qualified contractors are retained in the database and work is offered to them as a group. When one of them selects the assignment, the others are then locked out. This is intended to

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be an ongoing process where projects are constantly being presented and the participants are constantly selecting them.

Although this is similar to the systems in the patented references in "sound", it is in fact, a different system. What I means by similar in "sound" is that the broad description *sounds* similar to the references, i.e., the terms workers, screening, projects, review, selection are found in all of the systems. The difference is that in the references, there is substantial review and matching done by a central authority before the workers ever hear of a project, while in the instant invention, only the broadest classifications are made by a central authority. Other than an initial classification to separate projects, all projects in a class are available to all workers qualified for that class in real time. This produces a real time "project fair", almost auction-like. Once a worker accepts the project, it is not only locked out from the others, it is "set" in that there is no further need for interviews or follow-up to determine which candidate gets the assignment.

Such a system is not taught or suggested in either Stipanovich or Bukow. Accordingly, applicant believes that the amended claims are no longer obvious in view of these references and, therefore, the section 103 rejections have been traversed.



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Conclusion

In view of the above, the applicant believes that all of the objections and rejections have been resolved. Reexamination, reconsideration and approval of the claims, as amended, are requested soon.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Michael Tavella".

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In the Drawings

Applicant has attached replacement drawings for figures 1 and 2, as requested
by the examiner.